

February 22, 2017

MEMORANDUM OF EX PARTE COMMUNICATION

Docket Number: EERE-2013-BT-TP-0025; RIN 1904-AC99

Meeting Date: February 17, 2017

Attendees: Scott Blake Harris and John Hodges (Harris, Wiltshire & Grannis LLP), and Harri Kytomaa (Exponent) on behalf of AHT Cooling Systems GmbH and AHT Cooling Systems USA Inc. (collectively AHT); Daniel Cohen and Smitha Vemuri (Office of the General Counsel), and John Cymbalsky and Ashley Armstrong (Office of Energy Efficiency), on behalf of the United States Department of Energy.

Meeting Summary:

On behalf of AHT, we explained that certain AHT commercial freezers and refrigerators use advanced technology and, thus, are not designed in a way that is typical in the United States market. Accordingly, the test procedures set forth in the above-captioned docket do not accurately measure their energy usage. Specifically, AHT's freezers and refrigerators are atypical in three ways: (1) they use propane as a coolant; (2) their evaporator coils are built into the body of the units and do not need to be defrosted; and (3) they are multimode and easily can operate as an ice cream freezer, as a commercial freezer, or as a commercial refrigerator.

We pointed out that the testing procedures at issue assume that it is necessary for commercial freezers to run a defrosting cycle at least on a daily basis, and that freezers and refrigerators are distinct products. We argued that since those assumptions were incorrect for certain AHT products, the test procedures cannot accurately reflect their energy use and, thus, AHT's petition for at least an interim waiver should be promptly granted – before AHT is required to remove these advanced products from the US market next month.

Submitted By:



Scott Blake Harris
Chairman
Harris, Wiltshire & Grannis LLP